

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
JULY 27, 2016

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
JULY 27, 2016**

Present: Messrs: Tom Brown, Gary Wilner, Ed Kancler, Chris Griffith and Joe Zeitz

Absent: None

Also Present: Mr. Russ Rodic, Building Commissioner

The Board cited the Pledge of Allegiance.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
JULY 27, 2016**

The Board of Building and Zoning Code Appeals met in a Public Work Session on Wednesday, July 27, 2016. The Chairman, Mr. Kancler called the work session to order at 6:30 p.m.

Mr. Kancler explained that the Board of Building and Zoning Appeals jurisdiction is limited to decisions related to variances; they are not able to change zoning or use of a property.

1. Appeal # 08-2016
Variance 1143.09

A public hearing will be conducted at 6:30 pm on July 27, 2016; for the purpose of hearing an appeal for a variance from section 1143.09 of the Twinsburg Zoning and Development Regulations which requires a minimum rear yard depth of fifty (50') feet. The applicant is proposing a 2-tier deck 35 feet from the rear property line. This appeal is made by ANTHONY LIOTTA OF 2235 SANDALWOOD DR the applicant.

- Specifically, a 15 foot setback variance is requested.

2. Appeal # 09-2016
Variance 1164.01

A public hearing will be conducted at 6:30 pm on July 27, 2016; for the purpose of hearing an appeal for a variance from section 1164.01(7) of the Twinsburg Zoning and Development Regulations which requires all fencing shall have a minimum opening of 1-5/8 inches between boards. The applicant is proposing a 6 foot stockade type fence to be erected in the rear yard. This appeal is made by Toby Sturgill of 1725 E Idlewood Drive.

- Specifically, a removal of the 1-5/8 inch opening requirement variance is requested.

MOTION: TO MOVE DIRECTLY TO THE REGULAR MEETING.

MR. BROWN MOVED, MR. GRIFFITH SECONDED
UPON ROLL CALL MOTION PASSED UNANIMOUSLY.

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
JULY 27, 2016

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
MEETING MINUTES
JULY 27, 2016**

*The Board of Building and Zoning Code Appeals met on Wednesday, July 27, 2016.
The Chairman, Mr. Kancler called the regular meeting to order at 6:32pm*

1. Appeal # 08-2016
Variance 1143.09

A public hearing will be conducted at 6:30 pm on July 27, 2016; for the purpose of hearing an appeal for a variance from section 1143.09 of the Twinsburg Zoning and Development Regulations which requires a minimum rear yard depth of fifty (50') feet. The applicant is proposing a 2-tier deck 35 feet from the rear property line. This appeal is made by ANTHONY LIOTTA OF 2235 SANDALWOOD DR the applicant.

- Specifically, a 15 foot setback variance is requested.

Mr. Rodic administered the Oath to Mr. Anthony Liotta of 2235 Sandalwood Dr.

Mr. Liotta explained that he recently built an addition to the rear of his house.

- He now needs a 15 foot setback variance in order to replace the deck that was removed for the addition.

Mr. Kancler asked to make the photos part of the record.

Mr. Brown asked if the deck can be moved to the corner of the addition.

Mr. Liotta replied that the deck is designed as two tiers to allow more seating.

- Four neighbors have been contacted and approve of the deck.

Mr. Rodic administered the Oath to Mr. Neil Rubin, neighbor.

Mr. Rubin explained that he lives four houses away from Mr. Liotta.

- The Liottas maintain their property nicely.
- This is an odd shaped lot which creates a practical difficulty in complying with the Code as written.

MOTION: MOTION TO GRANT THE 15 FOOT VARIANCE FOR APPEAL #08-2016.

MR. BROWN MOVED, MR. WILNER SECONDED
UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

2. Appeal # 09-2016
Variance 1164.01

A public hearing will be conducted at 6:30 pm on July 27, 2016; for the purpose of hearing an appeal for a variance from section 1164.01(7) of the Twinsburg Zoning and Development Regulations which requires all fencing shall have a minimum opening of 1-5/8 inches between boards. The applicant is proposing a 6 foot stockade type fence to be erected in the rear yard. This appeal is made by Toby Sturgill of 1725 E Idlewood Drive.

- Specifically, a removal of the 1-5/8 inch opening requirement variance is requested.

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Mr. Rodic administered the Oath to Mr. Toby Sturgill of 1725 E. Idlewood Dr.

Mr. Sturgill explained that he is seeking a pleasant back yard environment and the neighboring properties have piled pallets, etc. in the rear of their yards and he does not want to see it from his property.

Mr. Kancler stated that the Board has allowed past variances which permitted solid privacy fences for site line and privacy purposes.

- It is difficult when there are neighbors who create visual clutter that disturb others.
- He is in favor of granting the variance.

Mr. Griffith noted that he was unsure about the variance until he observed the property and now he understands the need for a solid fence.

Mr. Sturgill indicated that he has discussed this 6 foot stockade fence with his neighbor, Ms. Lipnos, letting her know that he will work with her if she does not like the appearance of the fence.

- He will provide spacing between his fence and hers to allow maintenance between the two.
- He has improved the drainage near her property line.

Mr. Rodic asked for permission to access Mr. Sturgill's property in order to determine whether the neighbors have Code violations which need to be addressed by having them clean up their property.

Mr. Sturgill gave permission.

MOTION: MOTION TO GRANT APPEAL #09-2016 WITH THE FOLLOWING CONDITION;

1. THAT THERE IS SPACE BETWEEN THE PRIVACY FENCE AND THE CHAIN LINK FENCE IN ORDER TO MAINTAIN THE FENCES AND GRASS IN BETWEEN.

Mr. Brown asked if the fence will sit lower on one side.

Mr. Sturgill replied that the side of the yard has had drain tile installed and is now built up to match the rest of the yard.

2. THE FENCE PLACEMENT DOES NOT DISRUPT DRAIN TILE OPERATION.

MR. GRIFFITH MOVED, MR. WILNER SECONDED
UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

Mr. Rodic explained that the variance approval will go to City Council in 30 days for their approval.

- Mr. Sturgill may not construct his fence prior to that meeting.

APPROVAL OF MINUTES – Dated June 8, 2016

MOTION: TO APPROVE THE MINUTES DATED JUNE 8, 2016.

MR. WILNER MOVED, MR. BROWN SECONDED
UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
JULY 27, 2016
COMMUNICATIONS-

Mr. Rodic noted that when an application is received, public notice must be made prior to the deadline.

- It is important for Board Members to reply to emails with their availability in order to confirm a quorum and schedule the meeting within the allowed time.

Mr. Rodic noted that there will be meetings on August 10 and August 24.

Mr. Kancler will not be at the August 24 meeting.

EXCUSE ABSENT MEMBERS - NONE

ADJOURNMENT-

The meeting adjourned at 7:00pm

Ed Kancler, Chairman

Russ Rodic, Building Commissioner